

Message Text

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ACTION NEA-10

INFO OCT-01 ISO-00 OES-07 L-03 PM-04 NSC-05 SP-02
SS-15 CIAE-00 INR-07 NSAE-00 SSO-00 NSCE-00
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FEAE-00 DODE-00 ERDA-05 /091 W
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FM AMEMBASSY CAIRO
TO SECSTATE WASHDC IMMEDIATE 4755
INFO SECDEF WASHDC IMMEDIATE
CNO WASHDC IMMEDIATE
CHBUMED WASHDC IMMEDIATE
NAVMEDEDRSCHEDEVCOM BETHESDA MD IMMEDIATE

C O N F I D E N T I A L CAIRO 7681

E.O. 11652: DECLASSIFIED ON SIGNATURE OF AGREEMENT
TAGS: TBIO EG
SUBJ: NAMRU-3 AGREEMENT

REF: STATE 99098

1. WHILE WE ARE PREPARED TO PUT WASHINGTON'S
SUGGESTED CHANGES TO GOE MINISTRY OF HEALTH AND
SUBSEQUENTLY TO MINISTRY OF FOREIGN AFFAIRS, WE ARE
CONCERNED THAT SEVERAL OF THESE CHANGES REPRESENT
MODIFICATIONS OF WHAT WE PRESENTED TO MINISTRY OF
HEALTH IN GOOD FAITH AS FULLY CLEARED WASHINGTON DRAFT
(76 STATE 147114). WITH THAT SAID, FOLLOWING ARE
OUR COMMENTS ON SPECIFIC POINTS IN REFTEL.

2. ARTICLE I, PARA 1. IT IS TRUE THAT MISSION OF
NAMRU-3 AS REFELECTED IN OPNAVNOTE 5450 OF 19 AUGUST
1975 AND BUMEDINST 5450.56B OF 2 DECEMBER 1975 DOES NOT
INCLUDE REFERENCE TO TRAINING, BUT SUCH ACTIVITY
IS CLEARLY IMPLIED UNDER FUNCTIONS IN PARA 2, C OF THE
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LATTER. FROM EGYPTIAN STANDPOINT, MAJOR BEBEPIT OF
NAMRU-3 LIES IN TRAINING OPPORTUNITIES FOR EGYPTIANS
WHICH DERIVE FROM ITS OTHER ACTIVITIES. IF IT IS
TO SELL NEW AGREEMENT TO PEOPLES ASSEMBLY, GOE
MUST BE ABLE TO POINT TO A MUTUALITY OF BEBEPIT. WE
BELIEVE THAT MOH WILL REGARD PROPOSED DELETION AS
INDICATION WE PLAN PHASE OUT TRAINING ASPECTS OF

MISSION, PARTICULARLY SINCE THIS REPRESENTS CHANGE FROM EARLIER WASHINGTON-APPROVED DRAFT, AND THAT THIS CHANGE COULD JEOPARDIZE ENTIRE AGREEMENT. SINCE IT SEEMS INTENT OF ALL CONCERNED TO CONTINUE SUCH TRAINING, WE STRONGLY RECOMMEND THAT THIS CHANGE BE DROPPED AND THAT U.S. NAVY FIND SOME OTHER WAY TO ACCOMMODATE WHAT SEEMS TO BE PURELY LEGALISTIC AND BUREAUCRATIC PROBLEM. WE ALSO NOTE THAT THIS DELETION SEEMS IN DIRECT CONFLICT WITH IMPORT OF PARA 5 REFTEL RE ARTICLE VI, PARA 4.

3. ARTICLE I, PARA 3. WE SEE NO PROBLEM WITH ADDING "EXPRESSLY".

4. ARTICLE II, PARA 2. THE SUBJECT OF CO-DIRECTOR HAS BEEN UNDER DISCUSSION FOR MORE THAN THREE YEARS AND THIS IS FIRST MENTION OF REQUIREMENT FOR USG APPROVAL OF EGYPTIAN CO-DIRECTOR. IT IS ALSO A DEPARTURE FROM EARLIER-WASHINGTON-APPROVED TEXT (76 STATE 147114 (150219Z JUNE 76). WE WILL TRY THIS OUT ON EGYPTIANS, BUT ANTICIPATE THAT THEY MAY RESPOND THAT GRANTING US VETO POWER OVER NOMINATION OF EGYPTIAN CO-DIRECTOR INFRINGES ON GOE'S SOVEREIGN RIGHT TO APPOINT WHOMEVER IT WISHES. NAMRU-3 IS AN AMERICAN ORGANIZATION BASED IN EGYPT AND WE CAN SEE THAT EGYPTIANS WOULD HAVE A POINT IN SAYING THAT EGYPT BUT NOT US HAS THE RIGHT OF APPOINTING EGYPTIAN CO-DIRECTOR. FROM PRACTICAL STAND-POINT, WE WOULD BE PLACED IN UNTENABLE POSITION IF WE WERE TO TRY TO FORMALLY OPPOSE EGYPTIAN NOMINEE WHO HAD FULL SUPPORT OF HIS GOVERNMENT; IF WE HAD SERIOUS CONFIDENTIAL

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RESERVATIONS ABOUT SUCH AN INDIVIDUAL, WE ARE CONFIDENT WE COULD WORK THIS OUT INFORMALLY AND QUIETLY WITH GOE

5. ARTICLE VI, PARA 4. IT STRIKES US THAT PHRASE "ON A NOT TO INTERFERE BASIS" IS NOT VERY FELICITOUS LANGUAGE. WE SUGGEST THAT PHRASE BE DELETED AND ADDITIONAL SENTENCE BE INSERTED IMMEDIATELY AFTER FIRST SENTENCE TO READ AS FOLLOWS: "SUCH TRAINING WILL BE CONDUCTED IN A MANNER THAT WILL BE COMPATIBLE WITH OTHER OBJECTIVES OF NAMRU-3". ALSO BELIEVE PHRASE "IN RESEARCH TECHNIQUES" IS UNDULY LIMITING AND SHOULD BE DROPPED. NAMRU-3 PROVIDES IMPORTANT AND BADLY NEEDED TRAINING IN MANAGEMENT, FINANCE, MEDICAL LIBRARY SCIENCE, ETC.

6. ARTICLE VIII, PARA 4. MATTER OF RADIO-ISOTOPES RAISED BY MOH, WHO DOUBTED THAT HIGHER AUTHORITY WOULD APPROVE ORIGINAL DRAFT AS WRITTEN. IN FACT, IN MAY OF 1976 NAMRU-3 HAD BEEN ACCUSED, FALSELY, OF DIVERTING IMPORTED ISOTOPES INTO PRIVATE HANDS FOR PROFIT. SINCE

THAT TIME NAMRU-3 ARRANGED TO COMPLY FULLY WITH REPORTING REQUIREMENTS OF GOE ATOMIC ENERGY ORGANIZATION, RADIO-ISOTOPES DEPARTMENT. THIS PROCEDURE HAS NO DISADVANTAGES AND TWO POSITIVE BENEFITS: IT EXPEDITES CUSTOMS CLEARANCE OF INCOMING ISOTOPES AND PROVIDES PROTECTION FROM LIABILITY. NO LICENSE OR PERMIT BY GOE IS REQUIRED. A MORE SPECIFIC EMENDATION OF ORIGINAL AUTHORIZED TEXT WOULD BE THE INSERTION OF "WHICH SHALL BE ACCOUNTED FOR IN ACCORDANCE WITH ATOMIC ENERGY ORGANIZATION REQUIREMENTS" BETWEEN "ISOTOPES" AND "FOR".

7. ARTICLE X. MOH HAS INSISTED IN PAST THAT ARABIC BE THE DEFINITIVE VERSIONS OF THE AGREEMENT. HE SEEMS TO BELIEVE IT IS NECESSARY FOR PEOPLES ASSEMBLY APPROVAL. WE WILL AGAIN TRY TO GET ENGLISH ADDED, BUT AS FALL-BACK POSITION SUGGEST THAT ARTICLE BE DROPPED ENTIRELY, SINCE IT REALLY IS NOT MATTER OF SUBSTANCE OTHER THAN THE INTERNATIONAL CONFIDENTIAL

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LEGAL PRECEDENT INVOLVED IN OUR ACCEPTING THE EGYPTIAN PROPOSAL.

8. ACTION REQUESTED: BEFORE APPROACHING MOH AND THEN MFA, WE REQUEST WASHINGTON'S RESPONSES TO ISSUES RAISED IN PARAS 2, 4, 5, 6, AND 7 ABOVE. EILTS

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